

THE HONORABLE RONALD B. LEIGHTON

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TROY X. KELLEY,

Defendant.

Case No. 3:15-cr-05198-RBL

MOTION TO PERMIT TROY KELLEY
TO TRAVEL FOR NATIONAL GUARD
DUTY

Noted: January 24, 2017

Defendant Troy X. Kelley hereby moves this Court for an order permitting him to travel to Korea to complete National Guard duty from January 31, 2017, to February 14, 2017.

Mr. Kelley has been notified of orders requiring him to travel to Korea. Mr. Kelley understands that the conditions of his travel, if permitted by this Court, will be as follows:

Mr. Kelley will travel to Korea on a military aircraft contracted by the Department of Defense from SeaTac to the United States Air Force's Osan Air Base in Osan, Korea. The outgoing flight will be Air Mobility Command (AMC) MV271 departing Seattle on January, 31 2017, at 8:30 a.m. and arriving in Korea at 4:20 p.m. the following day, or an appropriate substitute as determined by the Department of Defense. The return flight will be MV 272 departing Korea on February 14, 2017, at 11:20 a.m. and arriving in Seattle, Washington, at 9:15

1 a.m. the same day, or an appropriate substitute as determined by the Department of Defense. Mr.
2 Kelley will travel on his US Army ID card and will not need his passport.

3 While in Korea, Mr. Kelley will stay at the U.S. Army Yongsan Garrison in Seoul, Korea,
4 working at the Staff Judge Advocate Building # 2574 at Unit # 15237 and residing at the Dragon
5 Hill Lodge at Unit # 15335. Mr. Kelley's family will remain in Tacoma, Washington, while Mr.
6 Kelley is in Korea.

7 Mr. Kelley will provide the U.S. Pretrial Services Office and the U.S. Attorney's Office
8 with a copy of his orders upon his receipt thereof.

9 Pursuant to the terms of his Appearance Bond, Mr. Kelley is not permitted to travel
10 outside the State of Washington, except as permitted by the U.S. Pretrial Services Office. Dkt.
11 No. 8. Mr. Kelley sought approval from Pretrial Services to travel to complete his National
12 Guard duty, but was informed that, because this is an international trip, he would need approval
13 from this Court. *See* Exhibit A, attached hereto.

14 Consequently, Mr. Kelley hereby moves for an order from this Court permitting him to
15 travel to Korea to complete National Guard duty from January 31, 2017, to February 14, 2017.

16 Mr. Kelley's counsel has contacted the U.S. Attorney's Office regarding their position
17 on this matter. The government stated that it would defer to the Pretrial Services Office and the
18 Court as to whether travel should be permitted. In expressing its decision to "defer" the issue,
19 the government stated no active opposition and, as a result, and given the time-sensitive nature
20 of Mr. Kelley's motion, Mr. Kelley has noted this motion on the date it was filed pursuant to
21 Local Criminal Rule 12(b)(8).

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1 DATED this 24th day of January, 2017.

2 s/ Angelo J. Calfo

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16 *Attorney for Defendant Troy X. Kelley*

CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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s/BonniLee Ball